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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,707	04/27/2001	James C. Hillegass	2159	9554

7590 09/02/2004

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EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/844,707	Applicant(s) HILLEGASS ET AL.	
	Examiner Kaveh Abrishamkar	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on April 27, 2001. Claims 1 – 24 were received for consideration. No preliminary amendments for the claims were received. Claims 1 – 24 are currently being considered.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to this Office action.

Claim Objections

3. Claim 14 is objected to because of the following informalities: the "A" should not be capitalized in the second limitation of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 10 – 11, 15, 21 –22, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Peinado et al. (U.S. Patent 6,775,655).

Regarding claim 1, Peinado discloses:

A method for storing multiple tracks of media data in a structured secured file comprising:

storing in the file a file header containing meta-data concerning the file (column 7 lines 1 – 16);

creating at least two track folders in the file, with one track folder for each track stored in the file, each track folder containing:

i) a track header containing meta-data concerning the track (column 8 lines 4 – 65); and

ii) the media data defining the track stored in an encrypted format (column 6 lines 52 – 55, column 7 lines 1 – 16).

Regarding claim 10, Peinado discloses:

A multi-track media file comprising:

a file header containing information relevant to the entire media file (column 7 lines 1 – 16);

at least two tracks of media data (column 8 lines 55 – 65); and

one track header for each track, each track header containing information relevant only to one track (column 8 lines 4 – 65).

Regarding claim 21, Peinado discloses:

A multi-track music file comprising:

a file header encrypted using a first encryption key, the encrypted file header containing

i) a file identifier (column 7 lines 1 – 16), and

ii) other data relevant to the complete music file (column 7 lines 1 – 16);

file audio-visual material related to the complete music file (column 7 lines 59 – 63, column 8 lines 20 – 48);

at least two track folders, with each track folder containing

i) a single track of music data encrypted using a second encryption key (column 6 lines 52 – 55, column 7 lines 1 – 16),

ii) a track header containing data relevant to the track of music data (column 8 lines 4 – 65), and

iii) track audio-visual material related to the track (column 8 lines 20 – 48).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Peinado discloses:

The method of claim 1, wherein the media data is chosen from at least one of the following types: music data, non-musical audio data, textual data, video data, graphical data, and audio-visual data (column 8 lines 31 – 47).

Claim 11 is rejected as applied above in rejecting claim 10. Furthermore, Peinado discloses:

The multi-track media file of claim 10, wherein the media data is chosen from at least one of the following types: music data, non-musical audio data, textual data, video data, graphical data, and audio-visual data (column 8 lines 31 – 47).

Claim 15 is rejected as applied above in rejecting claim 10. Furthermore, Peinado discloses:

The multi-track media file of claim 10, further comprising:

one track folder for each track, with each track folder containing exactly one track of media data and the associated track header (column 8 lines 1 – 65).

Claim 22 is rejected as applied above in rejecting claim 22. Furthermore, Peinado discloses:

The multi-track music file of claim 21, wherein the track audio-visual material and the file audio-visual material include data of at least one of the following types: textual data, audio data, graphical images, and video images (column 8 lines 31 – 47).

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Claim 24 is rejected as applied above in rejecting claim 21. Furthermore, Peinado discloses:

The multi-track music file of claim 21, wherein the file identifier is capable of uniquely identifying the multi-track music file to a licensing system (column 7 lines 1 – 19, column 9 lines 36 – 51).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 – 9, 12 – 14, 16-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peinado et al. (U.S. Patent 6,775,655) in view of Gruse et al. (U.S. Patent 6,389,538).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Peinado discloses:

The method of claim 1, further comprising:

encrypting the media data with a second encryption key (column 6 lines 52 – 55, column 7 lines 1 – 16).

Peinado does not explicitly disclose the encryption of the file header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to encrypt the metadata portion of the digital content to control access to the ‘preview’ information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 12 is rejected as applied above in rejecting claim 10. Furthermore, Peinado discloses:

The multi-track media file of claim 10, wherein the tracks of media data are encrypted with a second encryption key (column 6 lines 52 – 55, column 7 lines 1 – 16).

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Peinado does not explicitly disclose the encryption of the file header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to encrypt the metadata portion of the digital content to control access to the ‘preview’ information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 23 is rejected as applied above in rejecting claim 21.

Peinado does not explicitly disclose the encryption of the track header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column

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20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to encrypt the metadata portion of the digital content to control access to the ‘preview’ information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 4 is rejected as applied above in rejecting claim 3.

Peinado does not explicitly disclose the encryption of the track header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with

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encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to encrypt the metadata portion of the digital content to control access to the 'preview' information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 5 is rejected as applied above in rejecting claim 3. Furthermore, Peinado discloses:

The method of claim 3, further comprising:

storing the first encryption key in every software package capable of playing the structured secured file (Figure 3, column 10 lines 33 – 55); and

storing the second encryption key in a product license that is distributed to a possessor of the structured secured file only after the possessor has requested the product license to the structured secured file (column 7 lines 1 – 18, column 9 lines 36 – 51).

Claim 8 is rejected as applied above in rejecting claim 3. Furthermore, Peinado discloses:

The method of claim 3, further comprising:

storing in a file unencrypted file-related audio-visual material relating to the media data (column 7 lines 60 – 63), and

storing a first checksum value relating to the file-related audio-visual material in the encrypted file header, the first checksum value serving to verify that the file-related audio-visual material has not been altered since the file was created (column 17 lines 14 – 33).

Claim 13 is rejected as applied above in rejecting claim 12.

Peinado does not explicitly disclose the encryption of the track header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to encrypt the metadata portion of the digital content to control access to the ‘preview’ information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

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Claim 14 is rejected as applied above in rejecting claim 12. Furthermore, Peinado discloses:

The multi-track media file of claim 12, further comprising:

audio-visual material relevant to the complete media file (column 7 lines 50 – 63);

and

a checksum value verifying the integrity of the audio-visual material, the checksum value being located within the encrypted file header (column 17 lines 14 – 33).

Claim 16 is rejected as applied above in rejecting claim 15. Furthermore, Peinado discloses:

The multi-track media file of claim 15, wherein the tracks of media data are encrypted with a second encryption key (column 6 lines 52 – 55, column 7 lines 1 – 16).

Peinado does not explicitly disclose the encryption of the file header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access

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to the 'preview' information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to encrypt the metadata portion of the digital content to control access to the 'preview' information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Peinado discloses:

The method of claim 5, wherein the product license is not distributed until the possessor of the structured secured file has paid a license fee for the product license (column 9 lines 36 – 51).

Claim 9 is rejected as applied above in rejecting claim 8. Furthermore, Peinado discloses:

The method of claim 8, further comprising:

storing unencrypted track-related audio-visual material relating to a specific media track in the track folder containing the specific media track (column 7 lines 57 – 63); and

storing a second checksum value relating to the track-related audio-visual material in the track folder containing the specific media track (column 17 lines 14 – 33).

Peinado does not explicitly disclose the encryption of the track header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that “access to portions of this metadata can be secured and charged for if desired” (column 20 lines 60 – 65). Peinado discloses a metadata portion, which “may include ‘preview’ information designed to provide a user with a preview of the digital content” (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the ‘preview’ information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant’s invention was made to encrypt the metadata portion of the digital content to control access to the ‘preview’ information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 17 is rejected as applied above in rejecting claim 16.

Peinado does not explicitly disclose the encryption of the track header using a first encryption key. Gruse discloses the encryption of the metadata associated with the digital content (column 20 lines 40 – 65). Gruse states that distributors of the digital content can use the metadata to “promote the content on their web site” and that

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"access to portions of this metadata can be secured and charged for if desired" (column 20 lines 60 – 65). Peinado discloses a metadata portion, which "may include 'preview' information designed to provide a user with a preview of the digital content" (column 7 lines 59 – 63). It would have been obvious that, if desired, a vendor may restrict access to the 'preview' information contained in the metadata, but to a lesser degree than the main digital content. This restriction of access can most easily be implemented with encryption by a key as delineated by Gruse. Therefore it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to encrypt the metadata portion of the digital content to control access to the 'preview' information designed to provide a user with a preview of the digital content without revealing the key to decrypt the main digital content.

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Peinado discloses:

The method of claim 6, further comprising:
storing unencrypted media data in the file (column 7 lines 57 – 67); and
allowing access to the unencrypted media data when the possessor of the file does not have the product license (column 7 lines 57 – 67).

Claim 18 is rejected as applied above in rejecting claim 17. Furthermore, Peinado discloses:

The multi-track media file of claim 17, further comprising:

audio-visual material relevant to a particular track stored unencrypted in the track folder that contains the particular track (column 7 lines 57 – 63); and

a checksum value verifying the integrity of the audio-visual material, the checksum value being located within the encrypted track header associated with the particular track (column 17 lines 14 – 33).

Claim 19 is rejected as applied above in rejecting claim 18. Furthermore, Peinado discloses:

The multi-track media file of claim 18, further comprising:

file liner notes applicable to the complete media file (column 7 lines 57 – 63); and

track liner notes applicable to a selected track stored unencrypted in the track folder containing the selected track (column 7 lines 57 – 63).

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Peinado discloses:

The multi-track media file of claim 19, wherein the file liner notes have an associated checksum stored in the file header and the track liner notes also have an associated checksum stored in the track folder associated with the selected track (column 17 lines 14 – 33).


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 703-305-8892. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
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